



EDUCATION SYSTEMS IN ASIA by Fatt Hee Tie

Tie, F. H. (2012). Education Systems in Asia. In C. L. Glenn & J. De Groof (Eds.), *Balancing freedom, autonomy and accountability in education: Volume 1* (265-275). Tilburg, NL: Wolf Legal Publishers.

Introduction

This chapter discusses the education system in selected countries in Asia, specifically, China, India, Indonesia, Korea, Malaysia, and Singapore. The right to education is recognized as a universal fundamental right in these countries. It is encapsulated in the federal legislation, specifically, the national constitution. The countries addressed in this chapter seem to have fulfilled to the obligation to respect the right of the child to education.

This chapter examines the following issues: the administration of the national education system; the structure of schooling; the legal framework; freedom to establish non state schools; home schooling; family income and school choice; distinctive features of the respective education system; admission of pupils; decisions about staff; accountability for school quality; and teaching values in schools.

Administration of the education system

The government in all the countries exercises almost absolute control over the education system. It plans and determines the policies as well as the direction of the systems of education. In addition, the government provides full funding to the national schools. Consequently, centralization of the education system is a common feature in all the countries. This leads to bureaucratization and some of its benefits such as the ability to make decisions in a faster manner. On the other hand, centralization and bureaucratization brings about negative effects. It encourages passivity and stifles innovation as well as creativity. As a result, certain countries have embarked on the process of decentralization to overcome these limitations. Some have allowed schools more autonomy in making decisions. Overall, centralized decentralization is the norm as the government appeared reluctant to pursue complete decentralization of its education system.

In China, the Education Law of the People's Republic of China enable the State Council and local people's governments at all levels to guide and administer the education system. The administrative educational departments under the State Council are in charge of education and undertake overall planning, coordination, and management of educational activities. The Ministry of Education is the main education administrative body. Local government plays a key role in compulsory education and educational decision-making has become more decentralized.¹

In India, the central and state governments share the same responsibility in providing education. The central government sets the policies, programs, and maintains the quality and standards of education. The National Education Policies of 1968 and 1986 made primary education a national priority and universal access to primary education. Similarly, in Indonesia, the Ministry of National Education is responsible for providing formal and non-formal education. On the other hand, in Japan, centralization, modernization, national government, the Ministry of Home Affairs.

Until the 1990s, the education system in the Republic of Korea was highly regulated and centralized. The education system was a centralized system of governance where the Ministry of Education, Science, and Technology formulates and implements the education policies. In the mid-1990s, education reforms were implemented to increase the country's international competitiveness. In May 1995, a series of education reform proposals named the Establishment of a New Education System towards Edutopia. Some initiatives have been made to decentralize the education system.

The education system in Malaysia is also centralized in nature. The federal government provides funding to all national schools whereas the Ministry of Education sets out the policies. This is similar to Singapore where the Ministry of Education sets the policies and vision of the education system.

Primary education

In most of the Asian countries, the general structure of schooling follows a 6-3-2-2 structure. A child usually starts schooling at the age of seven years. The duration of schooling at the primary level is six years. It is then followed by three years of lower secondary, two years of upper secondary, and two years of pre- university. Primary education is free and compulsory whereas kindergarten is not compulsory, for example, Japan.

Parents who can afford to send their children to kindergarten provide their children a head start. Most countries make it compulsory for parents to send their children to primary school. Primary education is compulsory and parents are subject to a fine if they fail to enroll their children at school. In Korea, primary education is free and compulsory whereas in the rural areas, free and compulsory education is from primary to middle school level. In both Malaysia and Singapore, the government ensures that free primary education is available to all children.

The legal framework on education

There is a well-established legal framework that governs the education system in all countries. A set of laws and regulations are in place to regulate the growth and development of the education system. In China, the Constitution of the People's Republic of China sets out the provisions in matters related to the administration and management of the education system while protecting the educational rights and responsibilities of its citizens. The provisions of the Education Law of the People's Republic of China focused on the role of education in helping the nation's construction of socialist modernization. Education strived to promote patriotism, collectivism, socialism, ethics, discipline, and ethnic unity. All citizens have the right and duty to be educated and be provided with equal educational opportunities.

The other legislations related to education consist of: - the Compulsory Education Law of the People's Republic of China with the State's adoption of a nine year compulsory education system; the Teacher Law of the People's Republic of China: that concerns the role, functions and obligations of the teaching profession; and, the Private Education Promotion Law of the People's Republic of China that stipulates the legal responsibility of private-run schools.

Conversely, the Constitution in India provides for an equal partnership of national and state government in framing educational policies. Nevertheless, it is the government that formulates the country's educational policies and the state governments follow. The education policies are laid down in the National Policy on Education 1986. It focused on provide equal educational opportunities for all. The Right of the Child to Free and Compulsory Education Act 2009 make education a

fundamental right for every child below the age of 14. In this regard, free and compulsory education is provided to children below the age of 14.

Similarly, in Indonesia, the 1945 Constitution guarantees the right to education for all. The Law on the National Education System 2003 sets the legal framework for educational goal, policies, and plans. This is similar to Japan where the Constitution of Japan which states that all children have a right to receive an equal education. The Fundamental Law of Education sets out the basic aims and general principles of education while the School Education Law sets out the general requirements of school education; the purposes and courses of schools; qualifications for admission; roles of school personnel. The Private School Law sets out the roles of the state and local public bodies in promoting private schools. Other legislations that is not specific to education but affects school administration, finance, and personnel includes the National Government Organization Law, the Local Autonomy Law, the Finance Law, the National Public Service Personnel Law, and the Local Public Service Personnel Law. The other examples of regulations: the Enforcement Order of the School Education Law (cabinet ordinance), the Enforcement Regulation of the School Education Law (ministerial ordinance), and the standards for establishing schools at each level from kindergarten to university (ministerial ordinance).

The Korean Constitution also states that education is a fundamental right. The right to education includes the right to both freedom and welfare. Education freedom means equal access to education and prohibition of unreasonable discrimination with regard to access to education. Parents have a right to select a school for the child. On the other hand, the right to welfare means the right to request basic necessities from the state. The Korean Constitution also sets out the principles of education law. The first constitutional principle addresses the provision of ability-based equal educational opportunity (Constitution Article 31 Section 1). The second constitutional principle addresses autonomy, professionalism, and neutrality in education (Constitution Article 31 Section 4). The Basic Education Act is the primary piece of legislation that governs education and lay down the rights and duties of educational stakeholders. The Elementary and Secondary Education Act makes education compulsory. The Act encourages student autonomy, compliance with the due process in matters related to discipline, and regulates principal and teacher certification.

In Malaysia, both the Federal Constitution and the Education Act 1996 contains provisions that regulate the country's education system. The Ministry of Education issues professional administrative letters that encompasses other matters such as school safety, corporal punishment, classroom discipline, and student attendance. The professional conduct and discipline of civil servants, including public school teachers are regulated by the Public Officers Regulation (Conduct and Discipline) (Chapter 'D') General Orders 1993.

The Constitution of Singapore ensures that there is no discrimination in the area of education on the grounds of religion, race, descent or place of birth. It also prohibits discrimination in provision of funds for the maintenance of education. The main legislation, the Education Act 1957 governs the registration of schools, managers, and teachers. In addition, the subsidiary legislation regulates other school matters such as school management, school staff, qualifications of teachers, and discipline. The School Boards Incorporation Act 1990 provides for the establishment and management of schools. Teachers' conduct is governed by the Public Service (Disciplinary Proceedings) Regulations. The Compulsory Education Act 2003 makes primary education compulsory.

Freedom to establish non-state schools

Some countries allow non state schools to be set up. These schools are usually private schools are organized by the private sector and do not received any financial support from the government.

Most countries have defined non-state school as private schools. In China, the Private Education Promotion Law of the People's Republic of China defines non- state schools as those with non-government funds. Individuals, non-governmental organizations, and groups are allowed to set up these schools. However, these schools are very limited. In India, the Constitution of India provides for the setting up of non-state schools. The schools are divided into two types: government-aided private schools recognized by the government, and schools not recognized by the government. The constitution allows citizens to establish private educational institutions.

There is freedom to set up non-state schools in Indonesia. However, these schools must obtain a license from the central or local government. In Japan, the Private School Law requires individuals who plan to open a private school to establish a school corporation. He or she must obtain the approval of the Minister of Education. Private schools must comply with the laws and regulations similar to that of the national and public schools. This includes the curriculum, teacher qualifications, and maintenance of school facilities.

In Korea, there are two types of non-state schools: - private schools and alternative schools. A private school can only be established with the approval of the provincial superintendent. The Elementary and Secondary Education Decree Article 3 requires applicants to submit documents that contains the mission of the school, how the mission will be fulfilled, the type of facilities the school require, and how the facilities would be procured. Alternative schools are set up to educate students who have

dropped out of regular schools and also cater to students who require more individualized instruction through diverse programs or methods. These schools may focus on experiential learning or character education. Alternative schools are exempted from the legal requirements for teacher and principal certification, following the national curriculum, and traditional grade structures, and state-mandated tests.

In Malaysia, private corporations and organizations are allowed to establish non-state schools with the approval from the Minister of Education. They must comply with the requirements in the Education Act 1996, specifically, the national curriculum, language of instruction requirements, and the preparation of students for the prescribed public examinations. The Ministry of Education also sets the regulations to supervise, regulate, and control the standard of education among non-state schools.

Homeschooling

Homeschooling is allowed in some countries. In India, it is becoming important in some parts of the country. At present, there is no regulation set up to govern home schooling. However, children follow the curriculum set by the states. In Malaysia, the Education (Amendment) Act 2012 makes it mandatory for parents to send their children to school. However, the Minister of Education has the discretion to exempt parents from this requirement. Parents can apply for this exemption if their child is exceptionally gifted intellectually, physically disabled, the available schools are not able to meet this need, or, if the family members travel abroad frequently. Home schooled children must follow the national syllabus.

In Singapore, the Compulsory Education Act allows children to be home schooled. As in Malaysia, parents in Singapore must apply to the Ministry of Education and fulfill the conditions of the Compulsory Education Act. The Ministry of Education would grant the exemption if the home-based curriculum fulfill the two objectives of compulsory education, namely: (a) a common core knowledge that provides a foundation for further education and training towards a knowledge-based economy; and, (b) a common educational experience that establishes national identity and cohesion.

In Indonesia, homeschooling is relatively new. The provision under the section on informal education in the National Education System 2003 regulates home schooling. It is popular among the upper-middle to upper class families.

The Ministry of Education prohibits homeschooling in countries such as Japan, China, and Korea. In Japan, the School Education Law mandates parents to send

their children to school and the definition of ‘schools’ excludes ‘home schools’. Home schooling is also prohibited in China. The Compulsory Education Law states that the community, schools and families are responsible to ensure the right to compulsory education of children. Similarly, in Korea, the Elementary and Secondary Education Act mandates parents to send their children to school. Although homeschooling is not allowed in Korea and is punished with a fine, there has been an increase in home schooling.

Schooling and family income

In China, as in other Asian countries, families from the higher income group often send their children to the “key schools” where the quality of teaching, staff, principals, and, facilities are higher. In India, education is provided free up to the middle school level and parents need to pay for the textbooks, uniforms, and other educational supplies. Children from the economically and socially disadvantaged group receive financial support from the state and national government. In Indonesia, the Fundamental Human Rights provision in the Constitution allows freedom to choose a school. Access to education without gender bias, non-discrimination, equality of opportunity, and equity in education is provided in the education law. In Japan, national and public compulsory education schools provide free education until the upper secondary level. However, municipal boards designate the school that a child in a municipality attends. School attendance zones are delineated and parents must send their children to the school located in the zone where they live. On the other hand, in Korea, choice of elementary schools is limited by family income. Children attend public elementary schools based on where they live. A lottery system is used to determine the school that pupils study.

In Malaysia, free primary public education is available for all children. Family income is not a factor that limits school choice in public school. However, school choice is limited as the demand for places in certain high achieving public primary exceeds the places available.

In Singapore, free universal education is available. There is no school fees imposed at the government and government-aided primary school. Some fees are collected to defray the costs of teaching resources used by the students. The Ministry of Education Financial Assistance Scheme waived this miscellaneous fess for children from impoverished families. Besides, there are a number of schemes to support students from the lower income families.

Distinctive character of schools

Bilingual education in China use Mandarin and the local language of the ethnic minority. This ensures the linguistic rights of ethnic minority groups in primary and secondary schools. Trilingual education, comprising Mandarin, ethnic minority language and foreign language have been introduced.

The Education Law in Indonesia seeks to inculcate respect for human rights, cultural pluralism, learning to live together, morals, character building, and unity among the young. However, in Japan, the municipalities and schools have more authority to make decisions in matters related to curricular and the institution. These schools can pursue programs that are different from the national requirements. Private schools, with greater autonomy than public schools, can teach religious education.

In Korea, the school management committee consists of a principal, teachers, parents, community leaders, alumni leaders, and education specialists. The responsibilities includes to oversee school charters, school rules, budget, curricula, hiring of principals, use of school buildings after school hours, and school operations. The national curriculum has been revised by the government to provide schools with greater authority to determine their curricular content. Conversely, in Singapore, religious and community based schools are allowed to maintain their distinctive character on condition they comply with the Education Act. The Niche Area Scheme has allowed the establishment of specialized independent schools, such as the Singapore Sports School and the Singapore School of Arts.

Admission of students

The residence registration system in China determines the admission of children into primary schools. Children attend the school based on the area where they originate from. A school option fee is paid if children select a school outside their school registration area. In India, as similar to other countries, children who opt to attend private schools are required to pay fees. The residential 'zoning' process in Japan is used to determine the school that children attend. At the public secondary school level, admission is based on the results of examinations.

Admission to schools in Indonesia is based on a quota system where it is a first come first served basis. The popular state and private schools received the best students. However, in Korea, the equity-driven policy limits choice of schools. A small number of private elementary schools and special-purpose high schools have the authority to admit pupils.

On the other hand, the Ministry of Education in Malaysia decides on pupil admission. In most cases, the residential zoning process is used where pupils normally attend a school near their residence. However, examination results determine pupil selection in the popular schools. In Singapore, admission to the secondary school is based on meritocracy, specifically, the examination results.

The recruitment and employment of teachers

In China, there are two categories of teachers: (a) teachers employed by the state in public schools, and (b) teachers employed by the community at the non-state school. The government sets the regulations for teacher recruitment. It is specified in the Chinese Teacher Qualification Regulations 1995. A teacher is placed in the permanent scheme after completion of the teacher training program.

In India, the states recruit public school teachers and can terminate teachers when faced with financial exigency. On the other hand, in Indonesia, the central government, the district government, and the private school foundations are the three institutions that hire teachers. The teacher certification program requires a four-year diploma or an undergraduate degree from a recognized institution. Junior teachers attend a two-semester teacher training program whereas senior teachers attend a teacher certification program through portfolio assessment.

This is different from Japan where the prefectural board of education appoints public school teachers for the municipal schools.

In Korea, public and private school teachers are required to complete a teacher preparation program prior to employment. Public school teachers must pass the examinations. The provincial education department is responsible for the employment and dismissal of public school teachers. The university faculty recommends teachers to the private schools.

In Malaysia, public school teachers employed by the Ministry of Education must possess a teaching diploma or degree. It is similar to Singapore where the Ministry of Education decides on the employment of public school teachers.

Monitoring quality in schools

All countries have established a mechanism to monitor the quality of education in school. Most have a school inspectorate to conduct checks and advise on quality management in school. In China, the State Education Inspectorate conducts national educational inspection whereas the Teachers Law sets the minimum

degree requirements for teachers at each level of education.

In India, the government focuses on minimum level of learning outcome at each stage of school education. It has implemented a program to monitor and supervise the quality of elementary education using the Quality Mentoring Tools framework.

The quality management system in Indonesia seems to involve more participation from the different stakeholders. The School Committee, a community initiative at the school level, and the Education Board, a community initiative at the district level, monitor the quality of education. In Japan, the government mandates the standards for curricula, textbooks, school facilities, school organization, and teacher certification to set the quality of education. However, the government in Korea used a performance based evaluation of students aimed at improving teaching practices. The provincial education offices evaluate self-managed schools. The Ministry of Education and Human Resources Development evaluates the provincial education offices. The two evaluation systems are used at the primary and secondary schools.

On the other hand, in Malaysia, the Inspectorate of Schools monitors and ensures the standard of the education system specifically teaching and learning by visiting schools. However, the Ministry of Education in Singapore adopts a more comprehensive approach as it conducts annual financial audits of all schools. In addition, it conducts school appraisal once every three years. The appraisal is on organizational attributes such as leadership, planning, teaching and learning, and school outcomes. In addition, secondary schools are evaluated and ranked to improve public accountability.

Teaching values in schools

Almost all countries recognized the importance of teaching values to students. Universal social and moral values, national and cultural values, values education are taught in schools in India. Civic education and religious education are important subjects in Indonesian schools whereas moral education is taught in Japanese schools. In Malaysia, non-Muslim pupils study moral education while Muslim pupils learn Islamic studies. Values taught in moral education include freedom of religion, peace and harmony, patriotism, and love for the country. In Singapore, citizenship or civic education and social studies are taught with the aim of promoting national harmony and social cohesion.

Conversely, public schools in Korea cannot teach religion or religious values as this is perceived to violate the equal treatment policy among religions.

In China, Marxist philosophy and Marxism-Leninist- Mao Zedong thought is a compulsory subject.

Conclusion

All the countries reviewed in this chapter have a well-established legal framework that regulates the education system. In addition, there are other pieces of legislation such as education acts, to further govern the education system.

All countries have a Ministry of Education to plan, implement, and monitor policies related to education. At the same time, some efforts have been made to provide greater autonomy to schools to make decisions. Yet, centralized decentralization appears to be a common feature.

Overall, the comparison of the administrative of the different national education systems, structure of schooling, establishment of non-state schools, homeschooling, school choice, pupil admission, school quality, and the teaching values in schools, showed more similarities rather than differences.

Endnotes

¹ All sources are from the country profiles in volume 4.

References

Ibrahim, A F. (2012). Indonesia. In Glenn, CL, De Groof, J., & Candal, CS. (eds). *Balancing freedom, autonomy, and accountability in education, Volume 4*, Netherlands: Wolf Legal Publications.

Kim, J W, Yoo, J B, & Sohn, H. (2012). Korea. In Glenn, CL, De Groof, J., & Candal, CS. (eds). *Balancing freedom, autonomy, and accountability in education, Volume 4*, Netherlands: Wolf Legal Publications.

Odhekar, P D. (2012). India. In Glenn, CL, De Groof, J., & Candal, CS. (eds). *Balancing freedom, autonomy, and accountability in education, Volume 4*, Netherlands: Wolf Legal Publications.

Omomo, T. (2012). Japan. In Glenn, CL, De Groof, J., & Candal, CS. (eds). *Balancing freedom, autonomy, and accountability in education, Volume 4*, Netherlands: Wolf Legal Publications.

Teh, M K. & Chia, S M. (2012). Singapore. In Glenn, CL, De Groof, J., & Candal, CS. (eds). *Balancing freedom, autonomy, and accountability in education, Volume 4*, Netherlands: Wolf Legal Publications.

Tie, F H. (2012). Malaysia. In Glenn, CL, De Groof, J., & Candal, CS. (eds). *Balancing freedom, autonomy, and accountability in education, Volume 4*, Netherlands: Wolf Legal Publications.

Wang, K. (2012). China. In Glenn, CL, De Groof, J., & Candal, CS. (eds). *Balancing freedom, autonomy, and accountability in education, Volume 4*, Netherlands: Wolf Legal Publications.